

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Criminal No. 11-cr-159-JD

Ulrick Lucien

O R D E R

Ulrick Lucien is charged with making a false statement while acquiring firearms in violation of 18 U.S.C. § 922. Lucien moves to suppress statements that he allegedly made to Special Agent Kelter on the day of his arrest on the ground that admission of the statements at trial would violate the protections of the Fifth Amendment and Miranda v. Arizona, 384 U.S. 436 (1966). In response, the government represents that Lucien's statements to Kelter are not relevant to its case in chief against Lucien. Based on that representation, the government argues that Lucien's motion to suppress is moot.

Because the government has represented that Lucien's statements to Kelter are not relevant, the government shall not elicit those statements at trial nor elicit any testimony concerning Miranda warnings. Government witnesses shall be thoroughly instructed not to refer to these matters.

Conclusion

For the foregoing reasons, the defendant's motion to suppress (document no. 39) is terminated.

SO ORDERED.


Joseph A. DiClerico, Jr.
United States District Judge

November 19, 2012

cc: Behzad Mirhashem, Esq.
Debra M. Walsh, Esq.
U.S. Probation
U.S. Marshal